

THURSDAY, NOVEMBER 18, 1999
TENTH LEGISLATIVE DAY
SECOND EXTRAORDINARY SESSION

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. David Vaughn, First Baptist Church, Casten Springs, Tennessee.

Representative Walker led the House in the Pledge of Allegiance to the Flag.

RECESS MOTION

Without objection, the House stood in recess until 11:00 a.m.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Winningham; personal reasons

PRESENT IN CHAMBER

Subsequently, Representative(s) Winningham was/were recorded as being present in the Chamber.

**REPORT OF CHIEF ENGROSSING CLERK
November 18, 1999**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 24, 26 and 27.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
November 18, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 17, 18, 19 and 20; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 17 -- Memorials, Death - Trooper Bobby Maples, Tennessee Highway Patrol. by *Carter, *Herron.

Senate Joint Resolution No. 18 -- Memorials, Professional Achievement - Mullins Lumber Company, Byrdstown, 75th anniversary. by *Burks, *Davis L.

Senate Joint Resolution No. 19 -- Memorials, Death - Brig. Gen. Austin Conner Shofner, USMC, (Ret.). by *Womack, *Fowler, *Henry, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Graves, *Harper, *Haun, *Haynes, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 20 -- Memorials, Retirement - Mike Woods, Smyrna City Clerk/Coordinator. by *Womack.

**MESSAGE FROM THE SENATE
November 18, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 28, 29, 32, 33 and 34; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
November 18, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 35, 36, 37, 38, 39, 40 and 41; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for November 18, 1999:

House Resolution No. 9 -- Memorials, Recognition - Jim and Judy Wallace and the National Ornamental Metal Museum. by *Chumney.

House Resolution No. 10 -- Memorials, Personal Occasion - Bernice A. Smartt, 65th birthday. by *Langster.

House Resolution No. 11 -- Memorials, Public Service - Dr. Barbara Rose Hatton, President Knoxville College. by *Armstrong.

House Joint Resolution No. 42 -- Memorials, Recognition - Zachry Construction Company. by *Robinson.

House Joint Resolution No. 43 -- Memorials, Professional Achievement - Mr. Lewis Coomer, Putnam County Circuit Court Clerk, "Outstanding County Official of Tennessee". by *Hargrove.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar No. 2 for November 18, 1999:

House Resolution No. 12 -- Memorials, Personal Occasion - Marilyn Ann Armstrong Wilkerson. by *Armstrong.

House Joint Resolution No. 44 -- Memorials, Recognition - Women In Government/Legislative Business Roundtable. by *Bowers.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Supplemental Consent Calendar for November 18, 1999:

Senate Joint Resolution No. 17 -- Memorials, Death - Trooper Bobby Maples, Tennessee Highway Patrol. by *Carter, *Herron.

Senate Joint Resolution No. 18 -- Memorials, Professional Achievement - Mullins Lumber Company, Byrdstown, 75th anniversary. by *Burks, *Davis L.

Senate Joint Resolution No. 19 -- Memorials, Death - Brig. Gen. Austin Conner Shofner, USMC, (Ret.). by *Womack, *Fowler, *Henry, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsa, *Ford J, *Graves, *Harper, *Haun, *Haynes, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 20 -- Memorials, Retirement - Mike Woods, Smyrna City Clerk/Coordinator. by *Womack.

CONSENT CALENDAR

House Resolution No. 7 -- Memorials, Public Service - Elvin Marcellus Parish. by *Ferguson.

House Resolution No. 8 -- Memorials, Retirement - Kay Bowers, Roane County school system. by *Ferguson.

Senate Joint Resolution No. 15 -- Memorials, Sports - Jonathan McAdams, Wendy's Tennessee High School Heisman Trophy finalist. by *Herron.

Senate Joint Resolution No. 16 -- Memorials, Retirement - Bobby J. Klutts. by *Herron.

SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 9 -- Memorials, Recognition - Jim and Judy Wallace and the National Ornamental Metal Museum. by *Chumney.

House Resolution No. 10 -- Memorials, Personal Occasion - Bernice A. Smartt, 65th birthday. by *Langster.

House Resolution No. 11 -- Memorials, Public Service - Dr. Barbara Rose Hatton, President Knoxville College. by *Armstrong.

House Joint Resolution No. 42 -- Memorials, Recognition - Zachry Construction Company. by *Robinson.

House Joint Resolution No. 43 -- Memorials, Professional Achievement - Mr. Lewis Coomer, Putnam County Circuit Court Clerk, "Outstanding County Official of Tennessee", by *Hargrove.

Senate Joint Resolution No. 17 -- Memorials, Death - Trooper Bobby Maples, Tennessee Highway Patrol. by *Carter, *Herron.

Senate Joint Resolution No. 18 -- Memorials, Professional Achievement - Mullins Lumber Company, Byrdstown, 75th anniversary. by *Burks, *Davis L.

Senate Joint Resolution No. 19 -- Memorials, Death - Brig. Gen. Austin Conner Shofner, USMC, (Ret.). by *Womack, *Fowler, *Henry, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Graves, *Harper, *Haun, *Haynes, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 20 -- Memorials, Retirement - Mike Woods, Smyrna City Clerk/Coordinator. by *Womack.

SUPPLEMENTAL CONSENT CALENDAR NO. 2

House Resolution No. 12 -- Memorials, Personal Occasion - Marilyn Ann Armstrong Wilkerson. by *Armstrong.

House Joint Resolution No. 44 -- Memorials, Recognition - Women In Government/Legislative Business Roundtable. by *Bowers.

Rep. Langster moved that all members voting aye on House Resolution No. 10 be added as sponsors, which motion prevailed.

Rep. Armstrong moved that all members voting aye on House Resolution No. 11 be added as sponsors, which motion prevailed.

Rep. Bowers moved that all members voting aye on House Joint Resolution No. 44 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar, Supplemental Consent Calendar, and Supplemental Consent Calendar No. 2 be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar, Supplemental Consent Calendar, and Supplemental Consent Calendar No. 2 be concurred in, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

ANNOUNCEMENTS

RECESS MOTION

On motion, the House stood in brief recess.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Hargrove, the roll call was dispensed with.

REPORT FROM SENATE

Senator Kyle notified House that the Senate had completed its business and is ready to adjourn sine die. The Committee report was accepted.

MESSAGE FROM THE SENATE **November 18, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 21; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 21 -- General Assembly, Adjournment - Second Extraordinary Session of 101st General Assembly, November 18, 1999. by *Crutchfield, *Atchley, *Wilder, *Miller J.

RULES SUSPENDED

Rep Hargrove moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 21 out of order; the motion, seconded by Rep. McDaniel, prevailed by the following vote:

Ayes	82
Noes	8
Present and not voting	4

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Hood, Jones S., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 82.

Representatives voting no were: Bowers, Brooks, Brown, Cooper, Eckles, Kernell, Towns, Turner (Shelby) -- 8.

Representatives present and not voting were: Armstrong, Head, Jones U., Miller -- 4.

Senate Joint Resolution No. 21 -- General Assembly, Adjournment - Second Extraordinary Session of 101st General Assembly, November 18, 1999. by *Crutchfield, *Atchley, *Wilder, *Miller J.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Hargrove, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE November 18, 1999

MR. SPEAKER: I am directed by the Senate to notify the House that the Senate has completed its business and is ready to adjourn sine die in accordance with Senate Joint Resolution No. 21.

CLYDE W. McCULLOUGH, JR. Chief Clerk.

APPOINTMENT OF SELECT COMMITTEE

Representative Hargrove moved that a committee be appointed by the Speaker to notify the Senate that the House of Representatives will be adjourning sine die, which motion prevailed.

The Speaker appointed the following committee to notify the Senate: Representatives Eckles and Whitson.

APPOINTMENT OF SELECT COMMITTEE

Representative Hargrove moved that a committee be appointed by the Speaker to notify the Governor that the House of Representatives will be adjourning sine die, which motion prevailed.

The Speaker appointed the following committee to notify the Governor: Representatives Head and McAfee.

REPORT OF SELECT COMMITTEE

Speaker Naifeh recognized Representative Eckles, who reported that the Select Committee to notify the Senate had completed its business and is ready to adjourn sine die. The Committee report was accepted.

REPORT OF SELECT COMMITTEE

Speaker Naifeh recognized Representative McAfee, who reported that the Select Committee to notify the Governor had completed its business and is ready to adjourn sine die. The Committee report was accepted.

JOURNAL APPROVED

On motion of Rep. Hargrove, the Journal of the House of Representatives and the proceedings thereof were approved from the First through the Tenth Legislative Day of the Second Extraordinary Session.

ENGROSSED BILLS

November 18, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 42, 43 and 44.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
November 18, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 42, 43 and 44; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
November 18, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 16; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED
November 18, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 16.

MESSAGE FROM THE SENATE
November 18, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 15, 17, 18, 19, 20 and 21; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED
November 18, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 15, 17, 18, 19, 20 and 21.

ENROLLED BILLS
November 18, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44; also, House Resolution(s) No(s). 7, 8, 9, 10, 11 and 12.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
November 18, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44; also, House Resolution(s) No(s). 7, 8, 9, 10, 11 and 12.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
November 18, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

COMMUNICATION

To: Speaker Jimmy Naifeh

From: Representative Brenda K. Turner

Re: Collection of Child Support Payments

Mr. Speaker, it has been brought to my attention, as it has to other members, that we have a serious problem in the state division of child support. Families are not receiving their child support checks in a timely manner designated by the court.

The federal law requires all states to centralize collection and distribution of child support payments by October 1, 1999. As of today, November 18, 1999, at the close of this special session, we are in the 49th day in which the implementation of the federal regulations was passed by Congress in 1996. Tennessee was informed by the federal government that we must adopt the federal regulations or we, the state of Tennessee would lose federal funding needed for the child support program to succeed. We passed the needed legislation.

Many of the legislative secretaries are working closely with the Department of Human Services to make sure the families are receiving child support checks on time. Mothers are unable to pay rent, utilities, and buy food for their children. Also this is a special time for children with the holidays around the corner. If we do not act now, this will be a very sad time for the children.

According to the Tennessean, dated Tuesday, November 16, 1999, "interim support checks could be issued as early as Thursday, November 18, 1999, by the Tennessee Department of Human Services, which said about 16,000 payments were delayed because of a new centralized collection process."

We need to look into this as a legislative body. I suggest the comptroller be asked to investigate the problem and give an accurate account of the delayed payments. We need to find a way, quickly, to assist the department. I also ask that a special task force be created with both the House Finance Committee and the Children and Family Affairs committee members.

I request that these remarks be spread upon the journal on November 18, 1999.

Sincerely,

Brenda K. Turner
Deputy Speaker

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

SINE DIE ADJOURNMENT

Rep. Hargrove moved, pursuant to Senate Joint Resolution No. 21, that the Second Extraordinary Session of the One Hundred First General Assembly adjourn, sine die, which motion prevailed.

Thereupon, in accordance with Senate Joint Resolution No. 21, Mr. Speaker Naifeh declared the Second Extraordinary Session of the House of Representatives of the One Hundred First General Assembly adjourned, sine die.

Jimmy Naifeh, Speaker,
House of Representatives.

ATTEST:
BURNEY T. DURHAM, Chief Clerk,
House of Representatives.

**BILLS AND RESOLUTIONS ENROLLED, SIGNED AND TRANSMITTED
TO THE GOVERNOR SUBSEQUENT TO ADJOURNMENT**

Appendix of House Bills and Resolutions presented to the Speaker of the House of Representatives and the Speaker of the Senate for their signatures, and appendix of the House Bills and House Joint Resolutions presented to the Governor, with his action, as recorded in the Office of the Secretary of State.

**REPORT OF CHIEF ENGROSSING CLERK
November 19, 1999**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
November 22, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 24, 26, 27, 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44, with his approval.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR
November 23, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 25, with his approval.

MICHELLE LONG, Counsel to the Governor.